

7



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,085	12/17/2001	Judith F.M. Masthoff	GB 000189	3675

24737 7590 07/15/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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8

Office Action Summary

Application No.

10/023,085

Applicant(s)

MASTHOFF, JUDITH F.M.

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

BEST AVAILABLE COPY**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20030124.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The disclosure is objected to because of the following informalities: item "12" of Figure 3 is referred to in the specification as item 12.

Appropriate correction is required.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: item 12" of Figure 4 and item 51 of Figure 5. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (UK Application GB 2,344,037).

Regarding claim 1, Smith teaches providing a display for a graphical user interface in which a user may define a selected point on a subject image, taught as the drawing of a line between remote points in a drawing, at page 1, lines 21-23. Furthermore, Smith teaches displaying the subject image (taught as the display of an image during modification, at page 1, lines 32-34, and shown in Figs. 1-2), displaying an enlargement of the subject image in response to a user selecting a point on the subject image and displaying on the enlargement the point selected by the user (taught as the use of an automatic zoom function for displaying an enlargement of an area around a selected point, at page 5, lines 27-29), and returning a point previously selected by the user as displayed on an enlargement of the subject image as a first co-ordinate parameter (taught as the storing of the image display position, at page 4, lines 28-30).

Regarding claim 2, Smith teaches displaying a reduction of a previous enlargement of the subject image done in response to a single user input, taught as the returning of the scale to the original setting after a user click or timeout, at page 5, lines 31-37.

Regarding claim 3, Smith teaches further enlarging a previous enlargement in response to a user selecting a point on the previous enlargement, taught as the use of an automatic zoom in response to cursor motion on a display, at page 5, lines 27-29.

Regarding claim 4, Smith teaches displaying an enlargement of a subject image centered around a selected point, taught as the modification of the display scale centered around a selected point, at page 4, lines 35-37.

Regarding claim 5, Smith teaches returning to the original scale of a subject image after the reduction of a previous enlargement, taught as the returning of the scale to the original setting after a user click or timeout, at page 5, lines 31-37.

Regarding claim 6, Smith teaches returning a further point selected by the user as a second co-ordinate parameter, taught as the storing of the mouse position in response to a mouse event, at page 4, lines 28-30.

Regarding claims 8-10, as the method of Smith is implemented on graphical applications, it is inherent that the method is carried out using computer instructions, stored on a computer-readable storage medium, and presented to the user on an apparatus having a display, a processor programmed to perform the method, and user input device.

Claim Rejections - 35 USC § 103

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Art Unit: 2173

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith.

While Smith does not explicitly disclose the calculation of the distance between a first and second co-ordinate parameters, Smith does disclose the storage of two points on a display as first and second co-ordinate parameters. Taking the co-ordinate values of two points and calculating their distance is well known in the art, and is a standard function in many programming languages, such as Java and C++. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to take the first and second co-ordinate points of Smith and use the known distance functions of Java and C++ to calculate the distance between the two points.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited art relates to user interfaces that allow the selection of points and contain an enlargement or zoom function, or calculate the distance between two cited points.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (703) 305-5914. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
7/7/2004



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER